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September 28, 2010

Attention: Danielle Gosselin
Section of Environmental Analysis
Environmental Filing FD 35116

Re: Draft EIS Docket No. FD 35116

Dear Danielle Gosselin;

The Moshannon Group of the Sierra Club has one thousand members and on their behalf I offer the following comments. Most of our membership lives, and finds solace in the State Forest lands and rural character that is typical of Central Pennsylvania – the area that will be adversely impacted by the proposed action.

As to the rational for the proposed action:

RJCP has explained, however, that if there is no rail service, trucks on local roads and highways would be used to provide the transportation at issue. It is estimated that RJCP's proposed rail line could keep up to 1,100 trucks per day (550 loaded and 550 empty) off the local road system.

The rational is bogus because the 1,100 trucks per day are not on the road, and will never be there unless the actions proposed by RRLC are facilitated by your decision. The Draft EIS is also defective in that it fails to include RRLC plans – some would say pipedreams – in its analysis.

The “No-Action Alternative” is the most reasonable alternative that addresses the concerns about impacts to the current use of the area and its surrounding rural and public lands. The Draft EIS description of what is referred to as the Eastern Segment is described in this way:

...land use within the Eastern Segment is much more uniform, consisting almost exclusively of undeveloped forestland and reverting strip mine areas, including an approximate 4,400-foot section of the Moshannon State Forest. There are no public

roads or private driveway crossings within; nor are there any residential, commercial, or industrial buildings adjacent to; the 9.3-mile Eastern Segment. The 9.3-mile rail banked Eastern Segment also functions as part of the Snow Shoe Multi-Use Rail Trail.

The “No-Action Alternative” is the only alternative that protects current use.

The section on Environmental Impacts (Transportation and Safety) fails to include the “No-Action Alternative” – why?

The section on “...Hazardous Materials Transport” states “RJCP does not plan to ship any hazardous materials over the proposed rail line.” And then goes on to include “...*frac water from natural gas drilling activities.*” It would seem to border on total incompetence to conclude that “frac water” is not a “hazardous material”. Please document what is in “frac water” – and then evaluate whether it is hazardous or not.

After stating that cumulative impacts will be considered, the “SEA’s Preliminary Environmental Mitigation Measures” is limited to RJCP actions. This is deficient and the full cumulative impacts should be addressed. The Draft EIS states *RJCP responded by letter on April 28, 2009, and again on July 28, 2009, indicating that RRLLC’s proposed landfill would be developed and operated regardless of the rail line. ...In sum, the two projects are not interdependent, and the rail line is not the proximate cause of the landfill; thus, the landfill should not be included as part of the proposed action in the environmental review, and it would be inappropriate to consider the landfill to be a direct or indirect effect of this rail transportation project.*

We strongly disagree with this – without rail access there is no evidence that the proposed landfill plans could be carried out. If it could proceed, the developers would have proceeded. Without the development schemes of RRLLC this rail line would never have been proposed for reactivation. Therefore the two are connected and the Draft EIS is deficient in not recognizing and addressing this.

The section “Identification of Environmentally Preferable Alternative” fails to demonstrate why the “No-Action Alternative” is not the environmentally preferable alternative.

The Moshannon Group of the Sierra Club believes that the Draft EIS is inadequate, and that it will remain so without addressing the associated cumulative impacts that will occur with the RRLLC plans.

Sincerely,

Gary Thornbloom
Chair
Sierra Club - Moshannon Group